

**Straw Man**  
**for**  
**Possible Changes**  
**to**  
**Proposed Amendments to Chapter 112 (Zoning Ordinance)**  
**of**  
**The Code of the County of Fairfax**

*This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of October 28, 2002 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.*

*Changes to the amendments advertised for the Planning Commission Public Hearing held on January 15, 2003, are shown in red (online version only) with double strike through and double underline. Because the proposed amendments are related to a comprehensive revision of the Chesapeake Bay Preservation Ordinance that is being processed concurrently, the amendments which may ultimately be adopted by the Board of Supervisors may include provisions other than those set forth herein, and consequently, interested persons are encouraged to attend the public hearings on this proposed amendments.*

1 **Amend Article 17, Site Plans, as follows:**

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3 **Amend Part 1, General Requirements, as follows:**

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5 **Amend Sect. 17-106, Required Information on Site Plans, by revising Par. 32 to read as**  
6 **follows:**

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8 32. Delineation of Resource Protection Areas and Resource Management Areas, site-specific  
9 determination of water bodies with perennial flow, and a Water Quality Impact Assessment  
10 and required measures in accordance with Chapter 118 of The Code.

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12 **Amend Sect. 17-108, Site Plan Procedure, by revising Par. 3H to read as follows:**

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14 3. All site plans which are appropriately submitted and conform to standards and requirements  
15 set forth in this Article shall be approved by the Director after having been reviewed and  
16 recommended for approval by the appropriate departments of the County relative to items  
17 such as, but not limited to, the following:  
18

- H. Compliance with Chapter 118 of The Code. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 7 8 of Chapter 118.

**Amend Sect. 17-109, Fees, by revising Par. 4C to read as follows:**

4. Water Quality Fees:

The fees listed below shall be paid upon submission of each study to the County.

C. Chesapeake Bay Preservation Ordinance Exceptions and Waivers:

A ~~flat~~ fee of \$500 shall be paid with the submission of a request for an exception or waiver under Chapter 118 of The Code; provided however, that no fee shall be required for ~~an exception request filed pursuant to Section 118-6-9~~; a waiver request filed pursuant to Section 118-5-1 Par. (b) ~~or an exception pursuant to Section 118-6-7 for a minor site plan in a Commercial Revitalization District~~ and an additional fee of ~~\$250 \$100~~ shall be paid with the submission of any exception request when a public hearing is required under Article 6 of Chapter 118 of The Code.

In the event that a Resource Protection Area and Resource Management Area Boundary Delineation and a Water Quality Impact Assessment are submitted simultaneously, only one fee shall be required and such fee shall be the higher of the fees required for the individual studies.

**Amend Part 2, Required Improvements, Section 17-201, Improvements to be Provided, by revising Par. 8 to read as follows:**

8. Installation of an adequate drainage system for the disposition of storm and natural water in accordance with the provisions of Chapter 118 of The Code and the Public Facilities Manual. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 7 8 of Chapter 118.

**Amend Article 18, Administration, Amendments, Violations and Penalties, Part 6, Building Permits, Sect. 18-603, Limitations on Approval of Building Permits, by revising Par. 1 to read as follows:**

1. No Building Permit shall be issued for the erection of any building or structure on a lot or addition or modification to a building or structure that is in violation of any of the provisions of Chapter 101, Chapter 116 or Chapter 118 of The Code, this Ordinance, all other applicable laws and ordinances, any proffered conditions, or any development conditions of any approved rezoning, special permit, special exception or variance. Appeals of decisions made pursuant to Chapter 118 of The Code which are appealable shall be processed in accordance with Article 7 8 of Chapter 118.

**Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 3, Definitions, by revising the definition of Resource Protection Area to read as follows:**

RESOURCE PROTECTION AREA (RPA): As established in accordance with Chapter 118 of The Code, that component of the Chesapeake Bay Preservation Area comprised of lands ~~at or near the shoreline or water's edge~~ adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction, or assimilation of sediments, nutrients, and potentially harmful or toxic substances from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources.